

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

JAMES EARL MARSHALL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	2:17cv548-MHT
	)	(WO)
BILL FRANKLIN, Sheriff,	)	
and ROBERT HENLINE,	)	
Warden,	)	
	)	
Defendants.	)	

JUDGMENT

In accordance with the memorandum opinion entered today, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The United States Magistrate Judge's recommendation (doc. no. 16) is adopted to the extent it recommends dismissal.

(2) Defendants' motion to dismiss (doc. no. 11) is denied.

(3) This lawsuit is dismissed without prejudice for abandonment and failure to prosecute.

No costs are taxed.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE, this the 20th day of September, 2018.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE